

- Resolutions and letters of support
  - Member list
  - Publication list
  - Speaker list
  - Streaming testimonial videos
  - Coalition email address
- B. 800 # -- investigate possibility
- C. Blog
- D. Video / dvd for meeting presentations
- E. Powerpoint presentation for meetings
- F. Advertising -- investigate possibility
- G. Industry trades press list (announcement, updates, etc. -- press list developed)
- H. General circulation business sections press list (after considerable growth in the coalition -- press list developed)
- I. Special interest press lists (public policy, tort reform, etc.)
- J. Timing: *Complete by start of outreach, January 2006*

#### 8. Administration

- A. Jayne Thompson & Associates, Ltd. will administer the coalition as part of its existing contract with Syngenta.
- B. The coalition may be organized as an educational, not-for-profit Illinois corporation. As such, it must meet all legal requirements of such status. Donations could be requested of members.
- C. As mentioned in the JTA proposal, specifically related various out-of-pocket costs will be billed as expenses.
- D. The coalition will require co-ordination between several elements of the client team, including especially the web site with the organizational development, and press activities (announcements) with corporate communications and the activity as a whole with the legal team.

#### 9. Timeline -- and see also page 13 below

- A. Naming the coalition: *January 06*
- B. Complete communications tools: *January 06*
- C. List development: *December 05 / January 06*

DRAFT Attorney-Client Privileged. Confidential Page 11 of 13

**From:** Jayne Thompson [jthompson@jaynethompson.com]  
**Sent:** Saturday, August 22, 2009 12:52 PM  
**To:** Ford Sherry USGR  
**Cc:** Susana Leyva; Chris Robling  
**Subject:** Additional thoughts  
**Attachments:** Jayne Thompson (jthompson@jaynethompson.com).vcf

**Importance:** High

ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL

*even before publication*

Sherry:

Thank you for the update on the coming series in the NYT. We know you have a strategy well in place, but as you requested we would like to suggest some additional ideas for your consideration.

We will have two communications objectives: the first, rapid-response by third parties and Syngenta. The second, a plan for communications from the company and credible third parties if the article gets legs and is merchandized into TV interest-either locally in the cities where the Midwest water monitoring is occurring or nationally.

#### Rapid Response

• Myth vs. fact analysis. The day the article appears, we will need a team at Syngenta to go through the article line by line and find all 1) inaccuracies and 2) misrepresentations. Turn that into a simple chart where you identify the error in one column and present the accurate information (as briefly as possible) in the adjacent column. No statements or messages, just simple error vs. truth. Then, have a credible third party do the same. Submit both to the reporter and to his editor. Post this to atrazinefacts.com. And then ask for printing of an OpEd to address the error vs. truth analysis in the Editorial Page that week.

• Company response, industry response, credible expert response:

o Syngenta will need to have ready a brief statement on the article. Of course you want to stay out of it, but because you will be mentioned by name, you must have a brief response statement available that achieves two goals: addressing the major scientific inaccuracies of the piece while speaking to the average reader and his/her concerns about the impact of atrazine to water quality.

o American Council on Science & Health comment: a credible, credentialed statement focused on the major inaccuracies/misrepresentations of the NYT article.

o Crop Life America: the trade group statement on the history/safety of atrazine and the industry's proactive role in monitoring.

o After we see the article, we will need to revisit the issue of appropriate third-party industry support and identify additional resources, e.g. The Illinois Farm Bureau, The Heartland Institute or other similar organization, etc.

• Whalen op-ed ready for distribution to media in Midwestern cities that are cited in article as part of water monitoring program: Quick turnaround (2 days at most) of a 200-word OpEd from ACSH on the major inaccuracies/misrepresentations of the NYT piece.

Print to Broadcast:



Plaintiff also sued other atrazine manufacturers, including Dow, Drexel, Makhteshim-Agan and Sipcam, and UAP, a formulator of products that contain atrazine. In addition, Growmark, a federated regional cooperative comprised of Illinois farmers, was named co-defendant in each of the suits.

9. *What did Syngenta say in its motion to dismiss?*

In all, Syngenta presented to the judge nine distinct bases on which the suit should be dismissed—any one of which is sufficient for the court to dismiss this case. Those bases include the absence of standing by the plaintiff to bring the suit and the legal insufficiency of the claims alleged.

10. *Who represents the people who drink the water?*

Consumers are protected by the stringent federal and state safety standards that all drinking water has to meet—and HSSD does meet these water safety standards for atrazine.

11. *Why did Syngenta try to remove this case to federal court?*

All of the defendants agreed there were important legal reasons for this case to go to federal court. The judge there heard our argument and disagreed, and we respect that decision.

12. *Why didn't the federal court take this case?*

The judge wrote that HSSD's complaint was most appropriately heard by a state court.

13. *Isn't the local state court the best place to hear this case?*

We are happy to defend this suit in state—or federal court—because we believe EPA's science-based oversight of atrazine is solid.

14. *Why did Syngenta opt to remove the assigned judge early in the case?*

Under Illinois law, all parties in civil actions are entitled to change courtrooms under certain circumstances without stating any reasons for doing so. That's what we did in this case.

15. *Is Syngenta paying the legal fees of the other defendants?*

We are paying for ourselves, UAP and Growmark, not Dow.

16. *Have there been other lawsuits involving atrazine exposure through drinking water?*

environment. Further, conducting the next generation of studies in multiple labs serves to test the robustness of the new protocols. This way, we can ensure the study can be replicated with positive controls and provide confidence that any effects seen were caused by the test compound and not by another variable resulting from study design. Meanwhile, the atrazine panel members continue to work on their ongoing projects. All of this work, including the raw data and interpretation, will be submitted to EPA for review.

126. *Will this newest frog research put the issue to rest?*

The newest research being conducted by Syngenta will satisfy EPA requirements as set out in the atrazine IRED, but it's too soon to tell if the results of these studies will definitively answer whether atrazine affects frog development

127. *How much has EPA been involved in this latest research?*

EPA required this work and is obviously interested in the way it's carried out. We have welcomed EPA's input and expertise in developing proper protocols, but the final decisions and actual studies are left to the study directors.

128. *I've heard that Syngenta used its influence as a corporate donor to UC-Berkeley to hamper Dr. Hayes' research on atrazine. Is this true?*

This rumor is false. We have not, and would not, pressure any institution, including Berkeley, to halt research on our products. Syngenta has great faith in the scientific process, and we support sound science to build upon the broad knowledge that already exists on atrazine.

(Background: Syngenta had an agreement with UC Berkeley for research on biotechnology. Syngenta has given to UC Berkeley \$25 million over five years (2003 being the final year in contract) for unrestricted research grants. In exchange, Syngenta received the first right to license the resulting discoveries.)

129. *What influence did Syngenta have on Duke University's decision not to hire Dr. Hayes?*

Syngenta contacted Duke University upon reading in an article that Dr. Hayes intended to accept an offer of employment by the university. We did this for two reasons. First, Dr. Hayes has made several allegations about Syngenta and atrazine which have been



widely purported in the media. We wanted to share with Duke our view on these allegations. Second, Duke, located in Durham, is close to Syngenta Crop Protection headquarters in Greensboro and to our research facility in RTP, and we wanted to protect our reputation in our community and among our employees.

Syngenta had absolutely no input into Duke's deliberations, sat on no review boards regarding Dr. Hayes and was not privy to the reasons behind Duke's ultimate decision to not offer a position to Dr. Hayes. (In fact, Syngenta has never officially heard from Duke on its decision.)

130. *Is there or has there been any litigation between Syngenta and Dr. Hayes in the matter of frog research?*

No.

131. *I understand that EPA conducted a criminal investigation regarding the possibility that Syngenta did not properly disclose negative data associated with the frog research. Is there any truth to this?*

This began with a news release dated June 3, 2002, in which the Natural Resources Defense Council (NRDC) claimed that Syngenta failed to promptly disclose information to the US Environmental Protection Agency (EPA) regarding studies conducted with workers at the Syngenta plant in St. Gabriel, La., and on frogs. Also in the release, NRDC called for a ban of atrazine and a criminal investigation of Syngenta. Syngenta refuted the claims in a news release dated June 7, 2002.

Syngenta wholeheartedly refutes these claims. We have at all times complied promptly with our reporting obligations to EPA and have submitted all reporting records to EPA. In fact, we have not, at any time, been challenged by EPA on the issue of compliance.

132. *Has atrazine exposure hurt the Barton Springs Salamander in Austin, Texas?*

There is no science that says that. We do not think so. The matter is under investigation and we are monitoring developments very closely. (SDF to confirm)

133. *Is Syngenta participating in the current EPA effects determination in Austin, arising from concerns for the Barton Springs salamander?*

(SDF to add.)

134. *Does atrazine exposure detrimentally impact juvenile mice, as reported by N.M. Filipov / Mississippi State University?*

(SDF to add.)

**C. Plant**

135. *Is atrazine polluting Minnesota's Whitewater River?*

No. Under EPA guidelines and oversight, atrazine is being used safely in Minnesota.

136. *When atrazine washes off of a farm field, does it kill plants in lakes, rivers and streams?*

No. (I need to check on this—may depend on concentrations.)

**D. Corporate**

137. *How does Syngenta respond to allegations that it has hidden science that raises concerns about atrazine over the product's 48-year history?*

It is a total fabrication. We have made public more information about atrazine than any other institution in history, including voluntarily releasing potentially adverse results out of an abundance of caution. (We have to report adverse effects by law.)

138. *Dr. Hayes claims that Syngenta offered him a large amount of money to keep him on the panel and prevent him from publishing his initial results. Is this true?*

No. We want the panel not only to submit its final data to EPA but also to publish it—as long as the panel agrees the data is founded on sound science. In this case, the panel was not confident of the quality of the Hayes study and encouraged him to repeat it. Dr. Hayes instead chose to leave the panel and ultimately sought publication on his own rather than repeat the study as part of the panel, which is his prerogative. The panel then set about attempting to repeat the study. (Note: At the time Dr. Hayes was being encouraged to continue his work with the panel, Syngenta had already submitted a 6a2 report on the Hayes study to EPA.)

- X 139. *I've heard Syngenta commissioned a psychological profile of Tyrone Hayes. Is this true? If so, then why?*



✓ Yes. Syngenta was prompted to commission a psychological profile due to some unusual and frequent email from Dr. Hayes.

140. *Are Syngenta's research funding programs compromising academic freedom?*

No. We are very proud of our research funding and have agreements with about 400 institutions worldwide. These are mutually beneficial relationships. Our funding allows universities to research topics with real-world implications and to maintain faculties who enjoy academic freedom. At the same time, Syngenta benefits from the incredible expertise that universities have to offer.

141. *I understand NRDC has sued EPA, claiming inappropriate "secret meetings" took place with Syngenta to negotiate conditions of the atrazine IRED. What's your response?*

This suit has no merit. Syngenta approaches all meetings with EPA with the assumption that they will be entered into the atrazine public docket. We have at all times during the Special Review process acted legally and according to the guidelines established by EPA.

Further, it is standard operating procedure for EPA to request meetings with a registrant to discuss the consequences of risk management decisions affecting a registrant's product. It is the responsibility of the registrant to accept and agree to adopt any provisions, label restrictions or additional safety measures required by EPA in its risk management decisions (as in the atrazine Memorandum of Agreement, which outlined the required monitoring programs). Further questions about stakeholder involvement in the atrazine review should be addressed to EPA.

142. *Detractors allege Syngenta has an inappropriate working relationship with EPA and that the atrazine review benefited from this cozy relationship. What is your response?*

Syngenta has a good, professional working relationship with EPA, nothing more. In a highly regulated industry like agriculture, this is important to ensure we conduct the studies EPA needs to do its job. Our commitment to our customers—America's farmers—and to EPA is to pursue the best possible science with the highest ethical standards for all our products, including atrazine.

✓ 143. *Why did Syngenta retain Bob Dole?*

A. Illinois "Ag Group"

These organizations have been recruited by David Flakne over many years. They are very supportive of a fact- and science-based EPA process. They are also well aware of and committed to informing the public about the stakes at risk in the lawsuit. A meeting with these groups was organized by Dave on Wednesday, December 9, in Bloomington, Illinois, at which they were briefed on the suit, EPA and currents in press coverage. Each restated its commitment to the communications program in 2010, including possibly a Resolution for adoption by the Illinois General Assembly that would call on EPA to be led by science, state atrazine's conservation benefits, recognize atrazine's economic impact and seek a quick resolution to the new review.

Illinois Farm Bureau  
(Individual IFB chapters)  
Illinois Corn Growers  
Illinois Corn Marketing Board  
Illinois Fertilizer Chemical Association  
Chemical Industry Council of Illinois  
Illinois Association of Drainage Districts

B. Illinois Animal Agriculture and other organizations

To seek an "all ag" position we must approach groups that have typically not been involved as such in atrazine-related matters. These threats – and the precautionary principle that would obviously benefit from either's success – should be used as the basis for inviting these groups and their members to this issue for the purpose of Illinois agriculture definitively and univocally protecting safe, effective and established means of production. Because of corn's ubiquity, and resulting price sensitivity, most of the following also have a direct concern with maintaining current high levels of production. This, like the other remaining lists, is dynamic and subject to expansion, especially into specific related and supporting industries and academic or quasi-academic settings.

Illinois Pork Producer Association  
Illinois Milk Producer Association  
Illinois Beef Association  
Illinois Poultry Industry Council  
Illinois Specialty Growers Association (herbs, vegetable, horticulture and irrigation)  
Illinois Soybean Association  
Illinois Wheat Association



✓ Illinois' political situation (arrest of Governor, ongoing corruption probes) has created a volatile situation, which may present unanticipated opportunities for major expressions of support, such as the General Assembly resolution mentioned above. In such a context, it is vital that we maintain close coordination with Dave Flakne and the Ag Group to assess such possibilities as they arise.

Recommendation: Regular Illinois Ag Group sessions to review progress and identify new opportunities

Timing: Ongoing

K. Major announcement

✓ Professor Coursey's updated Illinois impact statement will be completed soon. This could provide an opportunity for widespread coverage.

Recommendation: Consider possibility of public setting for Coursey updated paper release; distribute news widely.

Timing: TBD after consultation with counsel

L. Press outreach

Seek coverage through Illinois agriculture press weekly for developments in campaign: new partners, new expressions, radio talk show guests, status of next SAP in Washington, etc.

Recommendation: Make this campaign an ongoing story of 2010 for Illinois agriculture.

Timing: Ongoing.

#####

**Syngenta Confidential**

**Request for Proposal**

**Statement of Work**

The Syngenta Crop Protection Legal Department intends to select one agency for public relations, issues management and possibly paid media, as appropriate, for support in connection with atrazine, a corn herbicide which is currently the subject of litigation in the Midwest, ongoing attack from activists and inquiry from the news media and others (the "Atrazine Issues Management"). The current litigation is a potential class action case or multistate litigation primarily in the Midwest.

Atrazine is an important product of Syngenta Crop Protection, and the company is the leader in crop protection products (by market share) in the U.S.

The chosen agency will develop a 12-18 month plan for a public relations and issues management strategy to protect and promote the Syngenta brand and atrazine herbicide in light of the Atrazine Issues Management concerns, including communications with respect to litigation. A key concern is the potential for more restrictive federal and/or state regulations and legislation of this and similar products (these products are already among the more heavily regulated marketed products). This would reduce our Freedom to Operate.

**Scope of Work**

Following is a summary of activities the selected agency will be expected to undertake during the course of the engagement, either on an ongoing basis, or as needed. This is not an exhaustive or definitive list but, rather, a set of minimum expectations. The successful agency will provide concrete examples of success in the following areas of their proposals.

- **Strategic communications counsel:** The successful agency will demonstrate the ability to add significant value as a key advisor to the organization. Of particular value in this assignment are insights and experience in the areas of:
  - issue, reputation, and crisis management;
  - "first strike" mentality and rapid response media expertise
  - third-party/ally cultivation and development;
  - leveraging academic and opinion research;
  - development of effective, persuasive themes and messages;
  - strategic planning;
  - and the use of objective metrics to monitor performance.
- **Primary research:** Agency should have the ability to conduct targeted, primary research to determine strategy and approach with key audiences.
- **Social media development and management:** As an area of increasing importance, creative and effective experience in the use of digital media as a communications tool will be required. The successful agency will have demonstrated experience using social media and other web-based applications in all forms for the benefit of advocacy, working to advance and elevate issue positions, not products. This also includes traditional Website design and creation.
- **Media relations:** The agency will serve as the direct support for our in-house legal and communications professionals and, as such, must have the demonstrated ability and capacity to deliver sustained and coordinated visibility at national, state and local levels. Credentials should include experience with print, broadcast and digital and



emerging media on behalf of clients with comparably complex, long-term goals. This includes general monitoring, analysis, trend identification, and message development. A team should be oriented for "first strike opportunities" and rapid response actions.

- ✓ • **Third-party spokesperson development:** Syngenta recognizes that third parties need to be nurtured well in advance of when they may actually be needed, especially in a crisis situation. The organization also needs a network of general, everyday "go to" sources comprising civic and opinion leaders, community-based organizations, non-profits, advocacy groups, and others who recognize and appreciate the essential nature of our industry and all of its applications and benefits. There are times that the organization cannot move quickly enough to respond, or other sensitivities preclude it from doing so. The agency should demonstrate its ability to recruit/cultivate and manage the relationships of those who may speak for us when appropriate.
- ✓ • **Media buying in embattled states (cost permitting):** The program should have the flexibility to shift as rapidly as the litigation and regulatory climate. The agency should be able to undertake local and sometimes regional media-buying activities, be experienced in planning and directing issue advocacy advertising campaigns and be knowledgeable of relevant publications and broadcast media, their audience influence, and strategic value. Advertising dollars must be made to go as far as possible and a well-reasoned, targeted approach is highly valued. This includes digital media.
- **Staff support:** The scope and scale of the project may require significant staff support and the agency is expected to have the capacity to provide such support as needed and directed.
- ✓ • **Existing Advocacy Websites**  
Various advocacy Websites would become the responsibility of the agency for any future design, content and navigation. The agency also will be expected to develop and manage a stakeholder/ support network database as well as maintain a current database of news and trade media for clips. This would include strategic assessment and management of [www.atrazine.com](http://www.atrazine.com) and [www.atrazinefacts.com](http://www.atrazinefacts.com) to reflect developing scenarios.

#### Audiences

##### Primary:

✓ Media  
Potential Jurors/Citizens of Illinois and other targeted states  
Employees  
Farmers  
Retailers/Distributors  
Ag industry groups  
Town/city officials  
University researchers

##### Secondary:

State/federal legislators  
State/federal regulators  
Public health officials  
Community Water Systems

**From:** Ford Sherry USGR  
**Sent:** Wednesday, October 21, 2009 9:42 AM  
**To:** Nadel Alan USGR; Goldsmith Steven USGR  
**Subject:** FW: ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL: possible edits to op-eds  
**Attachments:** HS Local ONE D2 10.16--Syngenta--revjct.doc; HS Local TWO D2 10.16--Syngenta--revjct.doc; HS Regional ONE D2 10.16--Syngenta--revjct.doc; HS Regional TWO D2 10.16--Syngenta--revjct.doc

**Importance:** High

Wanted you to be aware and to consider their edits.

**From:** Jayne Thompson [mailto:jthompson@jaynethompson.com]  
**Sent:** Saturday, October 17, 2009 5:15 PM  
**To:** Ford Sherry USGR  
**Cc:** Chris Robling  
**Subject:** ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL  
**Importance:** High

ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL  
For Internal Discussion Purposes Only

Dear Sherry:

On Friday afternoon, we received drafts of four op-ed's from the WHWG that are evidently being proposed for use locally in the Madison County area (2) and on a regional basis (2) before the next hearing date of October 28.

We seem to be operating in a bit of a vacuum and I would appreciate some clarification. My first question is whether there is a written plan for the public relations effort being mounted by WHWG and the teams that they are engaging for the company? If so, it would be extremely helpful for us to see it so that we can understand the strategy and be able to coordinate effectively and in a timely manner, without unnecessary duplication of effort.

My second question is what role would you like us to play in the circulation of documents like the draft op-ed's? We are happy to do as much or as little editing as will be helpful to you. For now, Chris and I have reviewed the drafts and have made edits of those things we considered "key"--that is, we have attempted to correct errors of fact (e.g. this is not a "class action") as well as some overstatements (e.g. "Future of Illinois on Trial in Madison Lawsuit"). If you would like further "word smithing" we are happy to help on that, too. We also need guidance on to whom we should send our suggested edits.

My third, and most important question is whether the lawyers have decided that these pieces are not only helpful but appropriate? We have serious concerns that at least the first three pieces may well be considered offensive by the judge--who, after all, will be making several discretionary rulings in this case on October 28th-- and which of course would not help our cause. And too, it must be kept in mind that Madison County is not a corn producing county, for the most part, so the emphasis in these pieces is incorrect for a local publication. And especially, the identification of opposing counsel by name I find inappropriate as an attorney and think Kurt, Mark and Alan might agree. Finally, some of the language of these pieces is suggestive of their source, which suggestion should be avoided at all costs.

One of the successes of the communications strategy for this litigation has been that to date we have been able to protect the company from being spotlighted or cast in an unflattering light. We need to continue with this level of discretion, which does not preclude the more vigorous pr effort that the company has recently chosen--it just makes the need for caution greater.

As a practical example, you might consider using in the near future the fourth draft op-ed ("Farmers Suffer as Lawyers Profit") with some further editing than what we have done in the attached as a possible editorial for the Madison County Record (which we believe we could place) or as an op-ed signed by Ed Mumane of the Civil Justice League.



*Privileged and Confidential. Prepared at the request on counsel*  
708 words  
draft 10/15/09

Future of Illinois on Trial in Madison Lawsuit

As Illinois struggles to rise from the mat during the worst downturn in 60 years, Texas trial lawyers and their St. Louis partner are about to deal us another body blow. If they succeed, farmers will be devastated, city jobs will be destroyed, and our regional tax base will be eroded. Our state economy, says University of Chicago professor Don Coursey, could sustain a \$500 million hit.

The issue revolves around a junk lawsuit filed on behalf of the water district of Holiday Shores Sanitary District in Madison County—a venue notorious as a “judicial hellhole” thanks largely to the showmanship of St. Louis contingency fee-trial lawyer Stephen Tillery.

Now Tillery has joined forces with Baron & Budd of Dallas to claim that atrazine—an herbicide in wide use for more than half-a-century, and now applied to about 77 percent of Illinois corn acreage—is unsafe at any level.

What would it mean if this lawsuit succeeded in driving atrazine off the market? The U.S. Environmental Protection Agency estimates that the loss of atrazine would cost farmers \$28 an acre in reduced crop yields and substitutions. In the boom or bust business of farming, this dollar loss would reduce the gross margin the average corn farmer earns by about 20 percent.

**From:** Eileen Doherty [edoherty@whwg.com]  
**Sent:** Wednesday, October 21, 2009 4:33 PM  
**To:** Flakne Dave USGR  
**Cc:** McFarland Janis USGR; Morris, Jeffrey; Doug Badger; Mike Burita; Chris Robling; Jayne Thompson; Carroll Beth USGR  
**Subject:** ALL OPED's APPROVED \*\*ATTORNEY/CLIENT PRIVILEGED AND CONFIDENTIAL\*\*  
**Attachments:** HS Local ONE final 10.21.doc; HS Local TWO final 10.21.doc; HS Regional ONE final 10.21.doc; HS Regional TWO final 10.21.doc

Dave,

Alan Nadel has approved all four of the op ed's I sent you earlier today. I have attached them here again and the only difference is that they are marked final. You should feel free to share them with anyone you approach as a signer. As I mentioned earlier, we need to get them submitted by Friday if they are to have a reasonable chance of being published by October 28.

Thanks again Dave.

Eileen Doherty

Eileen Doherty  
Senior Director  
White House Writers Group  
1025 Thomas Jefferson Street, NW  
Washington D.C. 20007  
202-783-4600 - office  
202-360-0583 - cell



**From:** Chris Robling [crobling@jaynethompson.com]  
**Sent:** Friday, February 12, 2010 10:27 AM  
**To:** Josh Gilder; Goldsmith Steven USGR; Nadel Alan USGR  
**Cc:** Jayne Thompson  
**Subject:** Attorney-Client Privileged and Confidential

**Attorney-Client Privileged and Confidential**

dear josh,

i just spoke to senator mccain about this at a small breakfast here. (no mention of syn or atz.) he said it was the first he had heard about it, and that senator kyl is intensely concerned with EPA OW, for obvious arizona reasons, and that sen kyl might find such a posting particularly inappropriate. he urged me to make sure that sen. kyl knows about it. i of course do not think that i shd get in touch w sen kyl. i send this to you so you may decide how such a step would best fit in, if at all.

*waited  
office*

my point w sen mccain was that "trial lawyer theories and activist appointees are now populating regulatory agencies to the detriment of jobs, shareholders and production..." he thought about that for a second and said, "if you look at the second-tier obama appointees, it is really scary..." i agreed.

in general his comment on the administration was, "you could not make this stuff up..."

thanks and best,

chris

---

**From:** Josh Gilder [mailto:joshuagilder@gmail.com]  
**Sent:** Monday, February 08, 2010 12:43 PM  
**To:** steven.goldsmith@syngenta.com  
**Cc:** Josh Gilder (WHWG); Clark Judge; Eileen Doherty; Adam D'Luzansky; Chris Robling; Mike Burita; Doug Badger; Jessica Adelman  
**Subject:** Re: EPA OW Deputy Administrator

We'll share this with Kim Strassel.

**\*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\***

Josh Gilder  
Senior Director  
The White House Writers Group  
1025 Thomas Jefferson Street, NW  
Suite 110G

Washington, DC 20007  
(202) 783-4600

\*\*\*\*\*

This message is a PRIVILEGED AND CONFIDENTIAL communication; prepared at the request of counsel. If you are not the intended recipient, do not read, copy, or use it, and do not disclose it to others. Notify the sender of the delivery error by replying to this message, and then delete it from your system. Thank you.

\*\*\*\*\*

On Feb 8, 2010, at 12:06 PM, <[steven.goldsmith@syngenta.com](mailto:steven.goldsmith@syngenta.com)> wrote:

spokes man

Ridiculous. There's got to be something that can be done with this.

communication manager

---

**From:** Carroll Beth USGR

**Sent:** Monday, February 08, 2010 12:05 PM

**To:** Nadel Alan USGR; McFarland Janis USGR; Herti Peter USGR; Barlow Todd USGR; Breckenridge Charles USGR; Campbell Dan USGR; Farmer Danelle USGR; Flakne Dave USGR; Ford Sherry USGR; Goldsmith Steven USGR; Hendley Paul USGR; Hosmer Alan USGR; Kelly Angus USWS; Kelly Dennis USGR; Williams Ron USGR; Kurtis Reeg; 'Mark Surprenant@arlaw.com'

**Cc:** Kuhn Eric USGR; Beth Turner; Langkamp Scott USGR

**Subject:** EPA OW Deputy Administrator

It just keeps getting better.....

#### **BNA: EPA Water Office Has New Deputy Administrator**

##### **EPA Water Office Has New Deputy Administrator**

Nancy Stoner joined the Environmental Protection Agency on Feb. 1 as the No. 2 official in the Office of Water, the agency said Feb. 3. For Stoner, deputy assistant administrator for water, it is her second stint with the agency. From 1997 to 1999, she was director of policy analysis in the Office of Enforcement and Compliance Assurance. From 1999 until joining EPA for the second time, Stoner had been an attorney with the Natural Resources Defense Council, most recently serving as co-director of NRDC's Water Program. In this capacity, she worked to protect rivers,